1898-025 Chancery Cause: P. H. Kinser vs Amanda J. Kinser &c
Lee Co.

1 Plat

CA - Estate Dispute
T - Property

- Survey
- Deed

Virginia,

Circuit Court of Lee County.

To the Honorable W. T. Miller, Judge of said Court:-

----------Humbly complaining, Your orator P. H. Kinser sheweth unto your Honor that your orator's Father, Samuel Kinser, was in his lifetime seized and possessed of certain real estate lying in the county of Lee and state of Virginia all in one body, and adjoining the lands of John Kinser, Andrew Scott, Andrew Johnson, Jacob Kinser and Putnam Kinser, containing about 166 acres, and being so thereof seized and posessed sometime in the year of 189-----, departed this life intestate, leaving Amanda J. Kinser, his wife and widow, who is entitled to dower therein, and Mary E. Kinser Clara M. Kinser and your orator, P. H. Kinser, and Mary E. Kinser, and Clara M. Kinser and your orator are the only heirs at law of the said decedent; that the said Mary E. Kinser and Clara M. Kinser are infants under the age of 21 years.

----------And your orator further states that the said real estate is xxxxxxxx as he believes susceptible of partition and assignment of dower among the parties entitled thereto.

----xxxxxxxx Intender consideration whereof and for as much as your orator is remediless in the premises save by the aid of a Court of Equity, your orator prays that the said Amanda J. Kinser, Mary E. Kinser Kinser, and Clara M. Kinser be made parties defendant to this bill, and required to answer the same but not upon oath, that being waived; that a proper Guardian Ad Litem be assigned the infant defendants to defend their interests in this suit; that the said real estate be xxxxd divided between the parties before mentioned entitled thereto; that dower be assigned to the said widow, Amanda J. Kinser: and your xxxxxxx orator's portion thereof allowed to him.

--------May process issue, directed, etc. And as in duty bound your orator will ever xxx pray.

Orr & Blankenship P. Q.

Pltffs Costs

Clerk	6.94
Tax	1.50
Shff	3.00
atty	15.00
Surveyor & Elliott	8.00
Comr P. F. Chaney	2.00
" N. W. Gregory	2.00
County Clerk	3.00
	$41.44

P. H. Kinsers Pays 18.42
Clara Kinser " 23.02
41.44

L. & B.

P. H. Kinser

vs. Bill in Ch'y

Amanda J. Kinser, et al.

Ord & Shackelford, P. Q.

1897. 1st Oct rules Spa ends
" 2nd Oct rules D. & Confd
& cause set for hearing
Nov Term 1897 Decree adjd
Continued.
1898 June Term Decree final
Chy O. B. K. No 6 Page 124

Pltffs Costs.

Clerk	6.94
Tax	1.50
Shff	3.00
atty	15.00
Surveyor	8.00
Comr	4.00
Co. Clerk	Paid 3.00
	$41.44
G. & L.	5.00
	$46.44

Virginia, In the circuit court of Lee County.

P. H. Kinser

vs } In Chancery

Amanda J. Kinser et al

The answer of Wm A. Orr, Sr., Guardian ad litem for Mary E. & Clara W. Kinser to a bill filed in this court in above styled cause vs his Wards et al.

Answering your respondent says that the object of the bill is to have dower assigned the mother of said wards in the land therein named, and to have partition among the other parties to the suit; that he is of opinion that the object of the bill should be granted & that a fair assignment of Dower be made and a just partion be had among those entitled, as claimed by the bill.

Having fully Answered your respondent asks to be hence dismissed with his Costs.

Wm A. Orr Sr.,
Guardian ad litem.

August 26. 1897.

Answer to this

A. B. Mumsey Clerk

P. H. Kinsman

ads } Chas. H. A. L.

Amanda J. Kinsman

708
158
550

1

Fin $5.00

P. K. Kinser — Plaintiff
against
Amanda J Kinser et als. — Defendants
} In Chancery.

This cause came on again to be heard upon the papers formerly read in the cause, and the report & plat of C. C. Elliott, N. W. Gregory & Peter F. Chance, Commissioners, of the partition of the land in the bill mentioned, filed in the cause February 14th 1898, and to which there are no exceptions, and was argued by Counsel. On Consideration thereof it is adjudged, ordered and decreed that said report & plat and the partition of the land in the bill mentioned, reported by said Commissioners, be and is hereby confirmed, and that the parties in said report mentioned, each take and hold the lot of land assigned them by said Commissioners, in the manner and by the metes and bounds, mentioned and set forth in said report & plat; and that P. K. Kinser & Clara Kinser pay the costs of this suit, in proportion to their interests in said land, the said P. K. Kinser paying four ninths of said costs and the said Clara Kinser paying five ninths of said costs; and that the Clerk of this Court deliver said plat & report to the Clerk of the County Court of this County for recordation.

And nothing further remaining to be done in this cause the same is ordered to be stricken from the docket.

P. A. Kinser

vs

Decree Final

Amanda J. Kinser et als.

Exc. C. O. B. 6 p. 124.

Recorded in deed book No 52 page 451

Enter this decree.

June 11 1898.

W. T. L.

P. H. Kinser, Plaintiff.

----Against---(--InChancery. (Decree # 1.)

Amanda J. Kinser, et al, Defendants.

This cause came on to be heard upon the bill of the plaintiff, process duly executed on Amanda J. Kinser, the adult defendant, and the answer of Mary E. Kinser and Clara M. Kinser, the infant defendants by William A. Orr, Sr., their Guardian Ad Litem, and replication to said answer, and was argued by counsel. And the said Amanda J. Kinser failing to appear and plead, dumurrxx or answer, the bill is taken for confessed against her: On consideration thereof it is adjuaged, ordered and decreed that C. C. Elliott, N. W. Gregory and Peter F. Chance, who are appointed Commissioners for the purpose, do go upon the tract of land in the bill mentioned, it being the tract of land owned by Samuel Kinser, deceased, at the time of his death, and lay off and assign to the said Amanda J. Kinser, his widow, her dower in the said tract of land, and partion the said tract of land subject to said dower among the heirs of the said Samuel Kinser, deceased, ~~xxxixxingxxtoxPxHxKinsxrxaxmoietyxthxrxofxandxtoxClaraxM.xKinser,xthexotherxmoietyxthxrxof~~ giving to each his or her proper share therein, having due regard to quality, quantity, water, ways, timber, etc., and that they make a plat and report their action to the next term of this Court and the cause is continued.

P. H. Kinzer

vs

Decree No 1.

Amanda J Kinzer et alls

Enr C. O. B. No 6 p. 49

Recorded in Deed

Book No. 52 Page 42

Enter this Decree

W Zinn

Nov 5th 1877.

Virginia

At a circuit court continued and held for Lee County at the Court-house thereof on Friday the 5th day of November 1897.

P. H. Kinser Plff
vs
Amanda J. Kinser et al Defts } Decree No 1

This cause came on to be heard upon the bill of the plaintiff ## ## ## ## ## ### ###. On consideration thereof it is adjudged, ordered and decreed that L. L. Elliott, N. W. Gregory and Peter F. Lehance who are appointed commissioners for the purpose, do go upon the tract of land in the bill mentioned it being the tract of land owned by Samuel Kinser deceased at the time of his death and lay off and assign to the said Amanda J. Kinser his widow her dower in the said tract of land and partition the said tract of land subject to said dower among the heirs of the said Samuel Kinser deceased giving to each his or her proper share therein having due regard to quality, quantity, water, ways, timber &c and that they make a plat and report their action to the next term of this court. And the cause is continued

P. H. Kinser
vs } Copies of Decree
Amanda Kinser et al

Clerk for Copies 1.50
Shff " Serving 1.50

A Copy
Test: Alf Bunnell Clerk

P. H. Kinser. Pefft.
vs.
Amanda J. Kinser et al. Defts } Decree No 1.

To the Honorable W. D. Miller
Judge of the Circuit Court of Lee County
Virginia. In persuant of an Order
eminating from your Honor in the
above Styled Cause dated Friday Th
5th day of November 1897.
We The undersigned Commissiones
afpointed by your Honor for the purpose
to go upon the Tract of land in the bill
Mentioned it being the Tract of land
Owned by Samuel Kinser deceased
at the time of his death and lay off and
assign to the Said Amanda J Kinser
his Widow her Dower in Said Tract of
land. and partition The said Tract of land
Subject to Said dower. among the heirs
of the Said Samuel Kinser Deceased.
giving to each his or her proper Share
Therein having due regard to Quality,
Quantity. water. ways, timber. &c
We proceeded on the 15th Day of December
1897. to comply with Said Order we first
Surveyed the entire Tract of land
Beginning at Stone on a South hill

Side S43¾ E 101. poles to a Stone in a road P. D. Kinsers corner and with his lines S47½W 14½ poles to a Stone below the Spring in the hollow. S18½ E 23 poles to a Stone S48 W 196 pol. to a Stone near a Small cedar a corner to Jacob Kinser, Thence with Kinsers line and a lane and road. N31¾ W 38 poles to the Cedar hill School House lot. and with it. N49 E 2¼ poles to a Stone at a Walnut Stump N23 W 14 poles to a fence S41½ W 5½ poles to the road and with it. N46 W 72 poles to a Stake Thence leaving Said road and with John Kinsers line N47½ E 215 poles to the Beginning containing 160 acres, We Then proceeded to lay off to Amanda J Kinsor widow of Samuel Kinser dcd, her Dower in Said Tract of land. And is represented on the Plat by the figures, +Letter 1. 2. 3. 4. 5. 6. 7. 8. Beginning on a Ston at the corner of a field P. D. Kinsers corner and at figure 1. S48 W 71 poles passing a pair of bars. to a Marked Dog-wood, +Ash. at figure 2. N19½ W 30¾ poles to a Stone at 3. N69 E 37¾ poles to a Stone in the corner of a field at 4. N30¼ W 112 poles to a Stone in the North line of the Survey at 5 and with Said line N47½ E 44 poles to a Ston at 6. the beginig corner of the Survey Thence with

lines of the Survey S43¾E 101 poles to to a Stone at J. P. D. Kinser, corner. S47¼W 14½ poles to a Stone below the Spring in the hollow S18½E 23 pols to the beginiy containing 45 acres which includes all of the buildings ~~water~~ orchard and Garden where Samuel Kinser lived. when he died.

We then proceeded to partition the entire Tract of land including Dower. between P. H. Kinser and ~~C. Clara~~ to each other. Kinser, half brother and Sister, there was another Sister, half Sister to P. H. Kinser, and whole Sister to Clara Kinser, but she died September the 16th 1897, aged 18 years, ~~and~~ and without issue, and died Since Samuel Kinser. the father and since the institution of this suit. and owner of the real estate. We gave to P. H. Kinser One ~~half~~ third of the Share of Mary E Kinser the deceased Sister, which we added to P. H. Kinser's ~~whole~~ Share in said estate, and the remainder two thirds of Mary E's share to Clara Kinser. and added the same to her ~~whole~~ Share in said estate

P. H. Kinser's whole Share in said estate is represented by the letters and figures a. b. c. d. and bounded as follows Begining on a Stone on a South hill side S43¾E 44½ poles to a Stone S47½W 215 poles to a Stone at The Cedar Hill road and with it N21¼W

44½ poles to a Stake John Kinser, corner and with his line N 47½ E 215 poles to The Begining containing 71 acres.

Eland Kinser's whole Share in said estate is represented by the letters and figures 1. h. g. f. e. d. c. 6. 7. 8. and bounded as follows Begining on a Stone at figure one P. D. Kinser, corner S 45 W 196 poles to a Stone near a small Cedar Jacob Kinser, corner Thence with the Cedar Hill Road and School House lot. N 31¾ W 38 poles N 49 E 2¼ poles to a Stone near a Walnut Stump N 23 W 14 poles to the fence S 41½ W 5½ poles to said road. and with it S 46 W 27½ poles to a Stone a corner to P. H. Kinser, and with his line or Lot No: 1. N 47½ E 215 poles to a Stone in a Lane Thence leaving Lot No. 1. S 43¾ E 54½ poles to a Stone in a road P. D. Kinser, corner and with his lines S 47½ W 16½ poles to a Stone below the Spring and in the Spring hollow S 16½ E 23 poles to the Begining 89 acres. This Share or Lot includes the Mansion House barn and Other buildings Garden. Orchard and water. all of the heirs are to have a right to the water provided They do it peaceably and decently. P. H. Kinser is to have a Wagon way out on the Dower along the line of John Kinser. ~~from~~ as per plat to a.

JOHN P. MORTON & CO.
INCORPORATED
LOUISVILLE, KENTUCKY.

This deed made this November the 1- 1907
between J. D. Davis and Lydia E. Davis
his wife of the first part and N. W. Gregory
and heirs of the second part all of
the County of Lee and the State of Virginia
witnesset that for and in consideration of
the sum of one hundred and ten dollars
to them in hand paid, the receipt of
which is hereby acknowledged, the parties
of the first part doth grant, bargain,
sell and deliver to the parties of the second
part, a certain tract or parcel of land
lying in the County aforesaid, being a
part of the land of P. H. Kincer, Decd bounded
as follows on the north and east by the
land Decd P. H. Kincer and on the
south by Clara Kincer's land and on
the west by Ben W. Shupe's land
beginning at a stone on the line of
Clara Kincer's land, and running south-
west fifty seven poles to the public road
and with the same fourteen poles to a
stone thence northeast fifty seven poles
to a stone thence southeast fourteen
poles to the beginning, containing five
acres. the parties of the first doth hereby
convey the land above described unto
the parties of the second part and their
heirs to have and to hold forever.
Parties of the first part bind themselves
to warrant generally the title to the conveyed
against all persons whatever witness

the following Signature and sealed
the day above written

Lydia E. Davis (Seal)

J. D. Davis (Seal)

Acknowledg Before me in
Due form of law This 2 day
November 1907

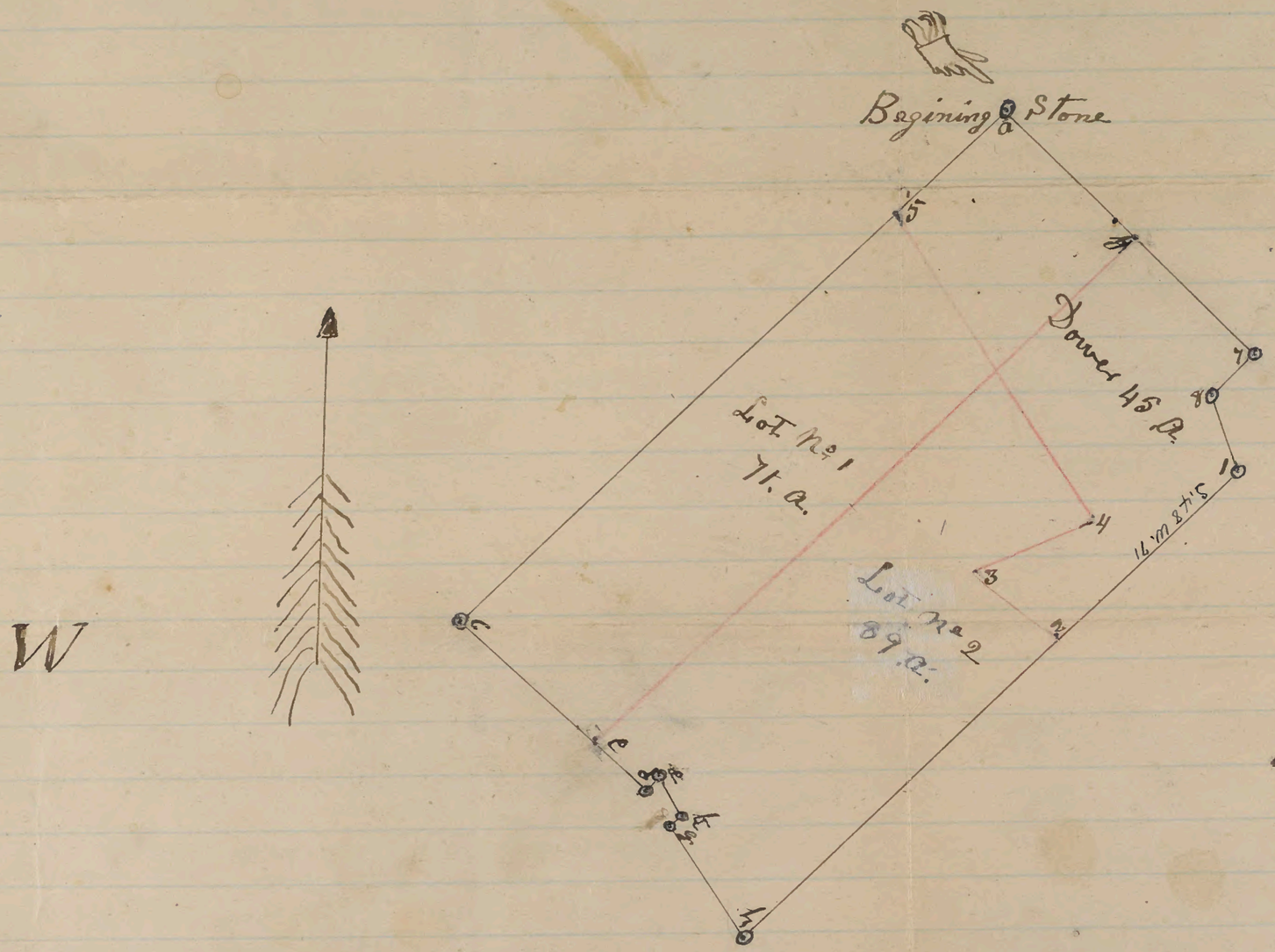
John D. Miller C. K. C. C.

By Granville Lewis D. C. C

J. D. Davis
Lydia E Davis
to
Deed
N. W. Gregory

John P. Morton & Co.
Incorporated.
Louisville, Kentucky.

Recorded in deed
book No. 5-2 Page 43



Plat of Samuel Kinser Land.

Southwest Virginian,
Jonesville, Va.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee Greeting:

We command you to summon Amanda J. Kinser, Mary E Kinser, and Cora M Kinser

to appear at the Clerk's office of our Circuit Court of the County of Lee at the court-house thereof, at the Rules to be holden for said court, on the 1st Monday in October, 1897, to answer a bill in Chancery, exhibited against them in our court by P A Kinser

. And have then there this writ.

Witness, A B. MUNSEY, Clerk of our said court, at the court-house, the 2nd day of September 1897, and in the 122nd year of the Commonwealth.

A B Munsey *Clerk.*

A copy—Teste: A B Munsey *Clerk.*

vs. { SUBPŒNA
IN CHANCERY.

.....P. Q.

TO..... Rul s.

CIRCUIT COUR!

Southwest Virginian,
Jonesville, Va.

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to appear at the Clerk's office of our Circuit Court of the County of Lee at the court-house thereof, at the Rules to be holden for said court, on the 1st Monday in October 1897, to answer a bill in Chancery, exhibited against them in our court by P H Kinser

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Witness, A B. MUNSEY, Clerk of our said court at the court-house, the 2nd day of September 1897, and in the 122nd year of the Commonwealth.

A copy—Teste: ..... Clerk.

A B Munsey Clerk.

Clerce 16

P. H. Kinser

SUBPŒNA

vs. { IN CHANCERY.

et al

Amanda J. Kinser et

Orr & B. P. Q.

To 1st Oct Rul s.

CIRCUIT COURT

Executed Oct 2 - 1897
By delivering an attested
Office Copy of the
Summons to Amanda
J. Kinser & Clarey
N. Kinser in Lee Co. Va.
W. P. Weston S.L.C.